



Request for Proposal 09-X-20673

For: Reflective Sheeting

Event	Date	Time
Bidder's Electronic Question Due Date (Refer to RFP Section 1.3.1 for more information.)	2/10/09	5:00 PM
Mandatory Pre-bid Conference	N/A	
Mandatory Site Visit	N/A	
Bid Submission Due Date (Refer to RFP Section 1.3.2 for more information.)	2/26/09	2:00 PM

Dates are subject to change. All changes will be reflected in Addenda to the RFP posted on the Division of Purchase and Property website.

Small Business Set-Aside (Refer to RFP Section 4.4.2.2 for more information.)	Status <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Entire Contract <input type="checkbox"/> Partial Contract <input type="checkbox"/> Subcontracting Only	Category <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III
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RFP Issued By

State of New Jersey
Department of the Treasury
Division of Purchase and Property
Trenton, New Jersey 08625-0230

Using Agencies

State of New Jersey
Department of Transportation
Department of Corrections
Cooperative Purchasing Members

Date: January 30, 2009

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IMPORTANT NOTICE -
NEW “PAY-TO-PLAY” RESTRICTIONS TO TAKE EFFECT NOVEMBER 15, 2008

Note: This is for informational purposes only. Certification is to be completed upon award.

Governor Jon S. Corzine recently signed Executive Order No. 117, which is designed to enhance New Jersey’s efforts to protect the integrity of government contractual decisions and increase the public’s confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 (“Chapter 51”), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Executive Order No. 117 extends the provisions of Chapter 51 in two ways:

1. The definition of “business entity” is revised and expanded so that contributions by the following individuals also are considered contributions attributable to the business entity:
 - Officers of corporations and professional services corporations, with the term “officer” being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1), with the exception of officers of non-profit entities;
 - Partners of general partnerships, limited partnerships, and limited liability partnerships and members of limited liability companies (LLCs), with the term “partner” being defined in the same manner as in the regulations of the Election Law Enforcement Commission regarding vendor disclosure requirements (N.J.A.C. 19:25-26.1); and
 - Spouses, civil union partners, and resident children of officers, partners, LLC members and persons owning or controlling 10% or more of a corporation’s stock are included within the new definition, except for contributions by spouses, civil union partners, or resident children to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides.
2. Reportable contributions (those over \$300.00 in the aggregate) to legislative leadership committees, municipal political party committees, and candidate committees or election funds for Lieutenant Governor are disqualifying contributions in the same manner as reportable contributions to State and county political party committees and candidate committees or election funds for Governor have been disqualifying contributions under Chapter 51.

Executive Order No. 117 applies only to contributions made on or after November 15, 2008, and to contracts executed on or after November 15, 2008.

Updated forms and materials are currently being developed and will be made available on the website as soon as they are available. In the meantime, beginning November 15, 2008, prospective vendors will be required to submit, in addition to the currently required Chapter 51 and Chapter 271 forms, the Certification of Compliance with Executive Order No. 117. The Certification of Compliance form for Executive Order No. 117 can be found here:
http://www.state.nj.us/treasury/purchase/forms/EO_117_NOTICE.doc

1.0 INFORMATION FOR BIDDERS

1.1 PURPOSE AND INTENT

This Request for Proposal (RFP) is issued by the Purchase Bureau, Division of Purchase and Property, Department of the Treasury on behalf of The Department of Transportation and Department of Corrections. The purpose of this RFP is to solicit bid proposals for Reflective Sheeting.

The intent of this RFP is to award contracts to those responsible bidders whose bid proposals, conforming to this RFP are most advantageous to the State, price and other factors considered. However, the State reserves the right to separately procure individual requirements that are the subject of the contract during the contract term, when deemed by the Director to be in the State's best interest.

The NJ Standard Terms and Conditions version 07/27/07 will apply to all contracts or purchase agreements made with the State of New Jersey. These terms are in addition to the terms and conditions set forth in this RFP and should be read in conjunction with them unless the RFP specifically indicates otherwise.

The State intends to extend the contract[s] awarded to the Purchase Bureau's cooperative purchasing partners. These partners include quasi-state agencies, counties, municipalities, school districts, volunteer fire departments, first aid squads, independent institutions of higher learning, County colleges and State colleges. Although the State, with the assent of the vendor(s), is making the use of any contract resulting from this RFP available to non-State Agencies, the State makes no representation as to the acceptability of any State RFP terms and conditions under the Local Public Contracts Law or any other enabling statute or regulation.

1.2 BACKGROUND

This is a reprourement of the **REFLECTIVE SHEETING** term contract, presently due to expire on **April 30, 2009**. Bidders who are interested in the current contract specifications and pricing information may review the current contract **T# 0210** at <http://www.state.nj.us/treasury/purchase/contracts.htm>.

1.3 KEY EVENTS

1.3.1 ELECTRONIC QUESTION AND ANSWER PERIOD

The Purchase Bureau will accept questions and inquiries from all potential bidders electronically via web form. To submit a question, please go to Current Bid Opportunities webpage or to <http://ebid.nj.gov/QA.aspx>

Questions should be directly tied to the RFP and asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates.

Bidders are not to contact the Using Agency directly, in person, by telephone or by email, concerning this RFP.

The cut-off date for electronic questions and inquiries relating to this RFP is indicated on the cover sheet. Addenda to this RFP, if any, will be posted on the Purchase Bureau website after the cut-off date (see Section 1.4.1. of this RFP for further information.)

1.3.2 SUBMISSION OF BID PROPOSAL

In order to be considered for award, the bid proposal must be received by the Purchase Bureau of the Division of Purchase and Property at the appropriate location by the required time. **ANY BID PROPOSAL NOT RECEIVED ON TIME AT THE LOCATION INDICATED BELOW WILL BE REJECTED. THE DATE AND TIME IS INDICATED ON THE COVER SHEET. THE LOCATION IS AS FOLLOWS:**

BID RECEIVING ROOM - 9TH FLOOR
PURCHASE BUREAU
DIVISION OF PURCHASE AND PROPERTY
DEPARTMENT OF THE TREASURY
33 WEST STATE STREET, P.O. BOX 230
TRENTON, NJ 08625-0230

Directions to the Purchase Bureau can be found at the following web address:
<http://www.state.nj.us/treasury/purchase/directions.htm>.

Note: Bidders using USPS Regular or Express mail services should allow additional time since USPS mail deliveries are not delivered directly to the Purchase Bureau.

Procedural inquiries on this RFP may be directed to RFP.procedures@treas.state.nj.us. This e-mail address may also be used to submit requests to review bid documents. The State will not respond to substantive questions related to the RFP or any other contract via this e-mail address.

To submit an RFP or contract related question, go to the Current Bidding Opportunities webpage or to <http://ebid.nj.gov/QA.aspx>.

1.4 ADDITIONAL INFORMATION

1.4.1 ADDENDA: REVISIONS TO THIS RFP

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be by addendum. Any addendum to this RFP will become part of this RFP and part of any contract awarded as a result of this RFP.

ALL RFP ADDENDA WILL BE ISSUED ON THE DIVISION OF PURCHASE AND PROPERTY WEB SITE. TO ACCESS ADDENDA, SELECT THE BID NUMBER ON THE BIDDING OPPORTUNITIES WEB PAGE AT THE FOLLOWING ADDRESS:

[HTTP://WWW.STATE.NJ.US/TREASURY/PURCHASE/BID/SUMMARY/BID.SHTML](http://www.state.nj.us/treasury/purchase/bid/summary/bid.shtml).

There are no designated dates for release of addenda. Therefore interested bidders should check the Purchase Bureau "Bidding Opportunities" website on a daily basis from time of RFP issuance through bid opening.

It is the sole responsibility of the bidder to be knowledgeable of all addenda related to this procurement.

1.4.2 BIDDER RESPONSIBILITY

The bidder assumes sole responsibility for the complete effort required in submitting a bid proposal in response to this RFP. No special consideration will be given after bid proposals are opened because of a bidder's failure to be knowledgeable as to all of the requirements of this RFP.

1.4.3 COST LIABILITY

The State assumes no responsibility and bears no liability for costs incurred by a bidder in the preparation and submittal of a bid proposal in response to this RFP.

1.4.4 CONTENTS OF BID PROPOSAL

Subsequent to bid opening, all information submitted by bidders in response to the bid solicitation is considered public information, except as may be exempted from public disclosure by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law. Because the State proposes to negotiate and/or pursue a Best and Final Offer, bid proposals will not be made public until the Letter of Intent to Award is issued.

A bidder may designate specific information as not subject to disclosure when the bidder has a good faith legal/factual basis for such assertion. The State reserves the right to make the determination and will advise the bidder accordingly. The location in the bid proposal of any such designation should be clearly stated in a cover letter. **The State will not honor any attempt by a bidder either to designate its entire bid proposal as proprietary and/or to claim copyright protection for its entire proposal.**

By signing the cover sheet of this RFP, the bidder waives any claims of copyright protection set forth within the manufacturer's price list and/or catalogs. The price lists and/or catalogs must be accessible to State using agencies and cooperative purchasing partners and thus have to be made public to allow all eligible purchasing entities access to the pricing information.

All bid proposals, with the exception of information determined by the State or the Court to be proprietary, are available for public inspection after the Letter of Intent to Award is issued. At such time, interested parties can make an appointment with the Purchase Bureau to inspect bid proposals received in response to this RFP.

1.4.5 BID OPENING

On the date and time bid proposals are due under the RFP, only the names of the bidders submitting bid proposals will be publicly announced. The contents of the bid proposals shall remain confidential until the Notice of Intent to Award is issued by the Director.

1.4.6 PRICE ALTERATION

Bid prices must be typed or written in ink. Any price change (including "white-outs") must be initialed. Failure to initial price changes shall preclude a contract award from being made to the bidder.

1.4.7 BID ERRORS

In accordance with N.J.A.C. 17:12-1.22, "Bid Errors," a bidder may withdraw its bid as follows:

A bidder may request that its bid be withdrawn prior to bid opening. Such request must be made, in writing, to the Supervisor of the Business Unit. If the request is granted, the bidder may submit a revised bid as long as the bid is received prior to the announced date and time for bid opening and at the place specified.

If, after bid opening but before contract award, a bidder discovers an error in its proposal, the bidder may make written request to the Supervisor of the Business Unit for authorization to withdraw its proposal from consideration for award. Evidence of the bidder's good faith in making this request shall be used in making the determination. The factors that will be considered are that the mistake is so significant that to enforce the contract resulting from the proposal would be unconscionable; that the mistake relates to a material feature of the contract; that the mistake occurred notwithstanding the bidder's exercise of reasonable care; and that the State will not be significantly prejudiced by granting the withdrawal of the proposal. Note: a PB-36 complaint form may be filed and forwarded to the Division's Contract Compliance and Audit Unit (CCAU) for handling. A record of the complaint will also be maintained in the Division's vendor performance file for evaluation of future bids submitted.

All bid withdrawal requests must include the bid identification number and the final bid opening date and sent to the following address:

Department of the Treasury
Purchase Bureau, PO Box 230
33 West State Street – 9th Floor
Trenton, New Jersey 08625-0230
Attention: Supervisor, Business Unit

If during a bid evaluation process, an obvious pricing error made by a potential contract awardee is found, the Director shall issue written notice to the bidder. The bidder will have five days after receipt of the notice to confirm its pricing. If the vendor fails to respond, its bid shall be considered withdrawn, and no further consideration shall be given it.

If it is discovered that there is an arithmetic disparity between the unit price and the total extended price, the unit price shall prevail. If there is any other ambiguity in the pricing other than a disparity between the unit price and extended price and the bidder's intention is not readily discernible from other parts of the bid proposal, the Director may seek clarification from the bidder to ascertain the true intent of the bid.

1.4.8 JOINT VENTURE

If a joint venture is submitting a bid proposal, the agreement between the parties relating to such joint venture should be submitted with the joint venture's bid proposal. Authorized signatories from each party comprising the joint venture must sign the bid proposal. A separate Ownership Disclosure Form, Disclosure of Investigations and Actions Involving Bidder, Affirmative Action Employee Information Report, MacBride Principles Certification, and Business Registration or Interim Registration must be supplied for each party to a joint venture.

2.0 DEFINITIONS

2.1 GENERAL DEFINITIONS

The following definitions will be part of any contract awarded or order placed as result of this RFP.

Addendum - Written clarification or revision to this RFP issued by the Purchase Bureau.

Amendment - A change in the scope of work to be performed by the contractor after contract award. An amendment is not effective until signed by the Director, Division of Purchase and Property or his/her designee.

Bidder – A vendor submitting a bid proposal in response to this RFP.

Contract - This RFP, any addendum to this RFP, the bidder's bid proposal submitted in response to this RFP and the Division's Notice of Acceptance.

Contractor - The contractor is the bidder awarded a contract.

Director - Director, Division of Purchase and Property, Department of the Treasury. By statutory authority, the Director is the chief contracting officer for the State of New Jersey.

Division - The Division of Purchase and Property.

Joint Venture – A business undertaking by two or more entities to share risk and responsibility for a specific project.

May - Denotes that which is permissible, but not mandatory.

Request for Proposal (RFP) - This document, which establishes the bidding and contract requirements and solicits bid proposals to meet the purchase needs of [the] Using Agency[ies], as identified herein.

Shall or Must - Denotes that which is a mandatory requirement.

Should - Denotes that which is recommended, but not mandatory.

State - State of New Jersey

Using Agency[ies]- The entity[ies] for which the Division has issued this RFP.

2.2 CONTRACT SPECIFIC DEFINITIONS

2.2.1 RETRO-REFLECTIVE SHEETING DEFINITIONS

The terms reflective sheeting and retro-reflective sheeting are synonymous. Retro-reflective sheeting, Types I thru VI, shall be silver - white, or colored, flexible, weather resistant material, and shall have a smooth, uniform retro-reflective outer surface. Retro-reflective Sheeting, Type VIII or Type IX shall consist of a white or colored sheeting having a smooth outer surface and that essentially has the property of a retroreflector over its entire surface. The sheeting shall conform to the following:

2.2.2 RETROREFLECTION

Retro-reflection is defined as the reflection in which radiation is returned in directions close to the direction from which it came; this property being maintained over wide variations of the direction of the incident radiation.

2.2.3 RETRO-REFLECTIVE ELEMENT

One optical unit which by refraction or reflection or both, produces the phenomenon of retro-reflection.

2.2.4 RETRO-REFLECTIVE SHEETING

A preassembled thin film that consists of a continuous layer of small retro-reflective elements close to the transparent surface.

2.2.5 ENTRANCE ANGLE

An entrance angle is the angle between the reference axis of the retroreflector and the axis of the incident light (illumination axis).

2.2.6 OBSERVATION ANGLE

An observation angle is the angle between the observation axis and the axis of the incident light.

2.3 RETRO-REFLECTIVE SHEETING TYPE I –VI, TYPE VIII AND TYPE IX

2.3.1 TYPE I

Retro-reflective sheeting shall consist of spherical lens elements adhered to a synthetic resin and enclosed by a flexible, transparent sheeting having a smooth, flat outer surface. It shall conform to the reflectance requirements of Table 916-1.

2.3.2 TYPE II

Retro-reflective sheeting shall consist of spherical lens elements adhered to a synthetic resin and encapsulated by a flexible, transparent sheeting having a smooth, flat outer surface. It shall conform to the reflectance requirements of Table 916-2.

2.3.3 TYPE III-A

Retro-reflective sheeting shall be a high intensity retro-reflective sheeting. It shall consist of cube corner (microprism) retro-reflective elements encapsulated by a transparent, flexible, smooth surfaced, tough and weather resistant polymeric film. It shall conform to the reflectance requirements of Table 916-3.

2.3.4 TYPE III-B

Retro-reflective sheeting shall be a high intensity retro-reflective sheeting. It shall consist of cube corner (microprism) retro-reflective elements encapsulated by a transparent, flexible, smooth surfaced, tough and weather resistant polymeric film. It shall have a pre-coated pressure sensitive adhesive, suitable for adhering to plastic surfaces, with a paper release liner for ease of application. It shall conform to the reflectance requirements of Table 916-4.

2.3.5 TYPE IV-A

Retro-reflective sheeting shall be a super high intensity retro-reflective sheeting. It shall consist of prismatic elements having high retro-reflectance values at wide compounded angles. It shall have a smooth surface and a pre-coated pressure sensitive adhesive backing protected by a removable liner. It shall conform to reflectance requirements of Table 916-5.

2.3.6 TYPE IV B

Retro-reflective sheeting shall be a super high intensity retro-reflective sheeting. It shall consist of prismatic elements formed in a transparent fluorescent orange synthetic resin, sealed and backed with a pre-coated pressure sensitive adhesive protected by a removable liner. It shall conform to the reflectance requirements of Table 916-6.

2.3.7 TYPE V

Retro-reflective sheeting shall be an elastomeric sheeting without adhesive. This sheeting shall be of a vinyl microscopic retro-reflective element material conforming to the reflectance requirements of Table 916-7.

2.3.8 TYPE VI

Retro-reflective sheeting shall consist of wide-angle prismatic sheeting. Sheeting shall be installed according to the manufacturer's recommendation. Sheeting requiring directional orientation must have datum marks visible from the face. The sheeting shall be pre-coated with pressure sensitive adhesive backing protected by a removable liner. It shall conform to the retro-reflectance requirements of Table 916-8.

2.3.9 TYPE VIII

A super high intensity retro-reflective sheeting having highest retroreflectivity characteristics at long and medium road distances as determined by the RA values of Table 2 at 0.1 Degrees and 0.2 Degrees observation angle. This sheeting is typically an unmetallized microprismatic retro-reflective element material. Typical applications for this material are permanent highway signing, construction zone devices, and delineators.

2.3.10 TYPE IX

A very-high-intensity retro-reflective sheeting having highest retroreflectivity characteristics at short road distances as determined by the r-a values of table 3 at 1-degree observation angle. This sheeting is typically an unmetallized microprismatic retro-reflective element material. Typical applications for this material are for permanent highway signs, construction zone devices, and delineators.

Note 1 - All retro-reflective sheeting's, but especially microprismatic sheeting's, may have unique performance characteristics outside of the range of the standard geometrics presented in the tables that define the types. Certain applications may require the use of a particular product within a particular type in order to achieve a desired level of retroreflectivity in a given situation. In these cases, information concerning additional performance characteristics must be obtained.

3.0 COMMODITY DESCRIPTION/SCOPE OF WORK

Note: All paragraph numbers mentioned in this section of the bid proposal refer to Specific sections of ASTM Designation: D4956-01A and reference books. Accordingly some of the numbering may not follow strict consecutive order.

916.04 RETRO-REFLECTIVE SHEETING

As stated herein, the terms reflective sheeting and retro-reflective sheeting are synonyms. Retro-reflective sheeting shall conform to ASTM D 4956 based upon results obtained and reported through testing performed by the National Transportation Product Evaluation Program (NTPEP). Retro-reflective sheeting shall be from the NJDOT Bureau of Materials approved product lists.

1. General Requirements

- a. Retro-reflectance. All retro-reflective sheeting shall have the minimum coefficient of retro-reflection (Ra) in conformance with ASTM D 4956.
- b. Color. The color of the retro-reflective sheeting, except for fluorescent colors shall conform to the color requirements of ASTM D 4956.
- c. Fluorescent Colors. The daytime fluorescent color of retro-reflective sheeting shall be determined according to ASTM E 991.

In addition, the color shall be equally distinguished in daylight and at night under artificial headlight illumination. The color shall have a consistent chromaticity across all signs of the same color. Noticeable deviation from the shades that would affect the required performance shall be a cause for rejection of any sheeting or completed sign at any time before acceptance. For sheeting that is directional, the datum mark (arrow) imprinted on the face of the sheeting shall be the datum mark for test purposes.

- d. Product Performance Requirements. The retro-reflective sheeting manufacturer shall meet the following requirements for their products.
 - (1) Type III Sheeting - Sheeting shall be required to have a service life span at least 12 years.
 - (2) Types VI, VII, VIII, and IX Sheeting - Sheeting shall be required to have a service life span of at least 10 years.
 - (3) The performance requirements shall be such that there is no loss of retroreflectivity; no loss of colorfastness; no cracking; and no other conditions inherent to the sheeting including inks and overlay film that causes it to be incapable of performing as required.

2. Certification of Compliance. The manufacturer shall submit a certification of compliance according to Section 3.2.1 of this RFP, NJ Specification 106.04 for each lot of sheeting supplied for use on the project.

SPECIFICATIONS FOR TYPE I THROUGH TYPE VI

Type I through Type VI reflective sheeting shall conform to the current New Jersey Department of Transportation specification Section 2.2 and Section 2.3 reflective sheeting of this RFP.

Additional specifications not contained in the standard specification but relevant to this contract are as follows:

Type I - Enclosed lens reflective sheeting shall be in accordance with New Jersey Specification No. 916.04 as amended, and referenced in this RFP. Rolls may be ordered in any width from 1" through 48" in one-inch increments, width tolerance of 1/8" to 1/4" may be required. Samples may be requested prior to the production run to ensure appropriate coverage.

Type II - Encapsulated lens reflective sheeting shall be in accordance with New Jersey Specification Section 2.1 and Section 2.2 as amended, and referenced in this RFP. Rolls may be ordered in any width from 1" through 48" in one inch increments.

Type I - Enclosed lens, Validation sticker reflective sheets shall be in accordance to New Jersey Specification Section 2.2 and Section 2.3 as amended and referenced in this RFP. Color for entire order shall be determined by the Motor Vehicle Commission. Material shall be supplied in rolls. The sheet back shall be scored in five (5) locations spaced every 1 1/8", starting 7/8" from the edge; adhesive shall be low temperature pressure sensitive, the nature of which, once applied, will not be able to be removed intact from the license plate. All sheets shall be processed with an anti-counterfeit safety tint watermark to read (State of New Jersey). The custom tint can be embedded or surface printed. The roll price must include a 1 mil. clear over laminate and the validation sticker material. Laminates shall be breakable. Packing: material shall be packed in such a manner to protect all rolls from damage to face or edges. All surfaces of material must be dried thoroughly to prevent sticking. There may be no more than three (3) splices per roll. Delivery will be expected in 30 days failure to meet this delivery schedule may be considered grounds for removal of award. At the point of order, the Using Agency will also provide a sketch with scoring instructions.

Type I - Enclosed lens validation material, not scored, pressure sensitive film. Rolls may be ordered in any width from 1" through 7" in 1/4" increments, all sizes by 200-yard length material shall be in accordance with New Jersey Specification Section 2.2 and Section 2.3 as amended and referenced in this RFP. Color(s) are to be determined by the Motor Vehicle Commission. Adhesive shall be low temperature, pressure sensitive, the nature of which, once applied, will not be able to be removed, intact, from the license plate. All material shall be processed with an anti-counterfeit safety tint watermark to read "State of New Jersey". The custom tint can be embedded or surface printed. The bid price must include a 1 mil. Clear over laminate compatible to the validation material. Laminates shall be breakable. Packing: material shall be packed in such a manner to protect all rolls from damage to face, edges and cores. All surfaces must be dried thoroughly to prevent sticking. There may be no more than three (3) splices per roll. Delivery will be expected in 30 days from receipt of order. Failure to meet this delivery schedule may be considered grounds for cancellation of contract.

3.1 SAMPLING AND TESTING

All materials bid will be subject to testing and approval by the state prior to the award of this contract as per Section 4.4.4.2 of this RFP. The material will be tested on all of the following points, in conformance with ASTM designation D4956-01A, Section 7 - test methods.

Reflective sheeting shall conform to ASTM D4956 4.2.9

- a. Photometry
- b. Color
- c. Adhesive
- d. Film
- e. Durability
- f. General characteristics and packaging

All bidders for Type I validation stickers may inspect a sample of the sticker, at the South Woods State Prison, 215 South Burlington Road, Bridgeton, New Jersey, 08302. Appointments for this purpose may be made by contacting Mr. Bruce Bryant at 856-459-7720 for a suitable time. This also must be done prior to bid opening time and date of this bid proposal. However, both agencies reserve the right to make any test demand necessary prior to release of an order for these items.

3.2 GENERAL CHARACTERISTICS AND PACKAGING

The reflective sheeting, as supplied, shall be of good appearance, free from ragged edges, cracks, and extraneous materials, and shall be furnished in rolls. Splices shall be butted or overlapped and shall be suitable for continuous application as supplied.

Rolls shall be packed snugly in corrugated fiberboard boxes in such manner that no damage or defacement may occur to the reflective sheeting during shipment or storage. Rolls 3" to 12" in width shall be packed in corrugated fiberboard cartons of 275 lb. test. Rolls 25" in width and above shall be packed in corrugated cartons of minimum 350 lb. Test. Rolls wider than 6" and 10 yards in length or longer shall be supported and suspended by the roll core within the cartons by means of plastic plugs or plugs within built-up and reinforced corrugated pads.

The reflective sheeting as supplied may be stored at temperatures of 10 degrees to 37.7 degrees C and shall be suitable for use at least one year after purchase.

3.2.1 NJ SPECIFICATION 106.04 CERTIFICATION OF COMPLIANCE

Materials or assemblies, as specified, will be accepted on the basis of certificates of compliance stating that such materials or assemblies fully comply with the requirements of the contract. The form of certificates of compliance must be approved by the engineer.

Materials or assemblies, used on the basis of certificates of compliance, may be sampled and tested at any time, If found to be not in conformance with the contract requirements, materials and assemblies will be rejected whether in place or not. The contractor shall require the manufacturer or supplier to furnish four copies of certificates of compliance with each delivery of materials, components, and manufactured items that are acceptable by certification. One copy shall be furnished to the resident engineer, two copies shall be furnished to the department laboratory, and one copy shall be retained by the contractor.

Certificates of compliance are to contain the following information:

- 1. Project to which the material is consigned.
- 2. Name of the contractor to which the material is supplied.
- 3. Kind of material supplied.

4. Quantity of material represented by the certificate.
5. Means of identifying the consignment, such as label marking, seal number, etc.
6. Date and method of shipment.
7. Statement that the material has been tested and found in conformity with the pertinent contract requirements stated in the certificate.
8. Signature of a person having legal authority to bind the supplier.
9. Signature attested to by a notary public or other properly authorized person.

Payments will not be made for materials supplied and accepted until the engineer has received the required certificate of compliance.

3.3 GENERAL REQUIREMENTS

3.3.1 RETRO-REFLECTANCE

Retro-reflective sheeting, Types I thru VI, shall meet the minimum specific intensity per unit area (SIA) requirements of Tables 916-1 thru 916-8, for the types specified. The (SIA) shall be expressed as candela per foot-candle per square foot of sheeting. The measurements shall be conducted in accordance with the federal test method standard 370, photometric measurements of retro-reflective materials and retro-reflective devices of ASTM E810 standard test method for coefficient of retro-reflectance.

The test results/analysis shall be provided by the manufacturer in accordance with subheading 4 below.

3.3.2 RAINFALL PERFORMANCE

The SIA values of the retro-reflective sheeting totally wet by rain, shall not be less than 90 percent of the values shown in Tables 916-1 thru 916-8 for the types specified. The measurements shall be conducted in accordance with AASHTO M 268.

The test results/analysis shall be provided by the manufacturer in accordance with Section 3.4 below.

3.3.3 COLOR

The colors of the retro-reflective sheeting, except for Type IV-BN shall be designated according to the MUTCD Section 2a- 11. Colors shall conform to the AASHTO manual for signing and pavement marking of the national system of interstate and defense highways. Colors shall be visually determined according to ASTM D 1535 by comparison with the FHWA Interstate Highway Color Tolerance Charts using the Munsell notations. When directed by the engineer, the manufacturer shall provide results of the instrumental test using color coordinates as described in AASHTO-M-268.

The daytime fluorescent orange color of the Type IV-B retroreflective sheeting shall be determined according to ASTM E 991. The nighttime fluorescent orange color shall be determined according to ASTM E 811.

In addition, the color shall be equally distinguishable in daylight and at night under artificial headlight lumination. The color shall have a consistent chromaticity across all signs of the same color. Noticeable deviation from the shades that would affect the required performance shall be

a cause for rejection of any sheeting or completed sign at any time before acceptance. For Type VI sheeting that is directional, the datum mark (arrow) imprinted on the face of the sheeting shall be the datum mark for test purposes.

3.3.4 SPECULAR GLOSS

The retro-reflective sheeting shall have an 85 degree specular gloss of not less than 40 for Type I sheeting and not less than 50 for Types II thru VI when tested in accordance with ASTM D 523.

The test results/analysis shall be provided by the manufacturer in accordance with Section 3.4 below.

3.3.5 ACCELERATED WEATHERING

When processed and applied in accordance with the recommended procedures, the reflective material shall be weather resistant and, following cleaning, shall show no appreciable discoloration, cracking, scaling, crazing, blistering, edge lifting, curling or dimensional change. The sheeting shall be certified by the manufacturer to retain not less than the percent of the minimum coefficient of retro-reflection specified in table 916-8, when exposed to xenon arc weatherometer in accordance with ASTM G 23, Type E or EH weatherometer with the humidifier off, or for Type IV-B, ASTM G 26, Type B, method A.

The test results/analysis shall be provided by the manufacturer in accordance with Section 3.4 below.

3.3.6 COLORFASTNESS

One of the accelerated weathered specimens shall be tested for colorfastness. The specimen shall be wetted with a mild detergent and water solution and then compared with a similarly tested unexposed specimen under natural sky (north sky) daylight or artificial light having a color temperature of 7,500 K. The colorfastness shall be evaluated as follows:

Excellent: No appreciable change in color.
Good : Perceptible but no appreciable change in color.
Fair : Appreciable change in color.

Appreciable change in color is defined as the change that is immediately noticeable in comparison with the exposed specimen. The retro-reflective sheeting to be used must have either a "good" or an "excellent" rating.

3.3.7 ADHESION

The retro-reflective sheeting shall be pre-coated with a pressure sensitive adhesive backing of a tack free heat activated adhesive backing, either of which shall be applied to properly prepared surfaces without the necessity of additional adhesive coats on the retro-reflective sheeting or application surface.

The protective liner attached to the adhesive shall be easily removed by peeling, without soaking in water or other solutions, and shall not break, tear, or remove adhesive from the backing. The liner shall be easily removed following accelerated storage for four (4) hours at 160 degrees F under a pressure of 2.5 pounds per square inch. The specimens for Types I through VI shall be tested according to AASHTO M 268, Section 7.7, and the test results shall be furnished by the manufacturer according to Section 3.4 below.

Additionally, retro-reflective sheeting shall show no sign of cracking or de-lamination when subjected to the impact resistance test described in AASHTO M 268. The manufacturer shall furnish the test results according to Section 3.4 below.

3.3.8 FLEXIBILITY

The retro-reflective sheeting shall have sufficient strength and flexibility so that it can be handled, processed and applied according to the recommendations of the sheeting manufacturer without appreciable stretching, tearing or other damage.

When tested in according to FED-STD-141C NOT 2, Methods 6224 and 6115, the Type I retro-reflective sheeting, with the liner removed, shall have a tensile strength of not less than 5 pounds per inch of width. Elongation shall not be less than ten percent. The machine speed shall be 1 foot per minute.

Following liner removal, the retro-reflective sheeting shall be sufficiently flexible to show no cracking when slowly bent in a time of one second around a 1/8-inch mandrel with the adhesive contacting the mandrel.

The retro-reflective sheeting for cones, drums and delineator guide post shall conform to the above except that after being conditioned for 24 hours at 53 degrees F, the sheeting shall be sufficiently flexible to show no cracking when slowly bent in one second's time around a 1/8 inch mandrel with adhesive contacting the mandrel.

3.3.9 SHRINKAGE

Following the liner removal, the retro-reflective sheeting specimen shall not shrink in any direction more than 1/32 inch in ten minutes and 1/8 inch in 24 hours. The test shall be conducted on a 9 by 9-inch conditioned (72 degrees F 50 percent relative humidity for 24 hours) specimen with the liner, according to ASSHTO M268.

3.3.10 STORAGE

The retro-reflective sheeting, as supplied, shall be of good appearance, free from ragged edges and cracks, and be suitable for use for a minimum period of one year.

3.4 CERTIFICATION OF COMPLIANCE TESTS

The manufacturer shall perform all the specified standard tests and provide results and an analysis of the test results. The manufacturer shall also submit a certification of compliance in accordance with Section 3.2.1 NJ Specification 106.04 Certificate of Compliance

3.5 SPECIFICATIONS FOR THERMOPLASTIC PAVEMENT MARKINGS

3.5.1 THERMOPLASTIC

Thermoplastic for long-life traffic marking shall be of either preformed or hot extruded material. The thermoplastic shall conform to the requirements of ASHSTO M 249, except as follows:

1. Preformed material shall be 90 mils thick and conform to only those portions of AASHTO M 249 not associated with material in a liquid state.

2. For white, the composition of the mixture shall be as follows:

COMPONENT	PERCENT BY WEIGHT
RESIN/BINDER	22-26 PERCENT MINIMUM
GLASS BEADS (PRE-MIX)	30 PERCENT MINIMUM
WHITE PIGMENT	10 PERCENT MINIMUM
CALCIUM CARBONATE AND INERT FILLERS (SHALL NOT CONTAIN SILICA OTHER THAN AS GLASS BEADS)	34-38 PERCENT MAXIMUM

3. For yellow non-lead formulas, the composition of the mixture shall be as follows:

COMPONENT	PERCENT BY WEIGHT
RESIN/BINDER	22-26 PERCENT MINIMUM
GLASS BEADS (PRE-MIX)	30 PERCENT MINIMUM
YELLOW PIGMENT	2 PERCENT MINIMUM
CALCIUM CARBONATE AND INERT FILLERS (SHALL NOT CONTAIN SILICA OTHER THAN AS GLASS BEADS)	42-46 PERCENT MAXIMUM

The yellow material's combined totals of Lead, Cadmium, Mercury, and Hexavalent Chromium shall not exceed 100 parts per million.

The thermoplastic manufacturer shall certify according to subsection 106.04, that the material will meet the requirements specified.

SPECIFICATIONS FOR PAVEMENT REFLECTORS AND CASTINGS

3.5.2 PAVEMENT REFLECTORS AND CASTINGS

Pavement reflectors and castings shall consist of iron castings with a two-way snow plowable replaceable prismatic reflector. The pavement reflectors and castings shall conform to the following:

1. Castings: castings shall be ductile iron conforming to ASTM A 536, hardened to 52-54 RC, and shall be marked with the manufacturer's name and model number. Castings shall be between 9.25 and 10 inches long, between 5.5 and 5.85 inches wide, and between 1.70 and 1.92 inches high. When installed, the height shall be between 0.25 and 0.41 inch above the road surface. The casting shall weigh approximately 5.5 pounds. The surface of the keel and web of the casting shall be free of scale, dirt, oil, grease, or other contaminant that may reduce the bond of the casting to the epoxy adhesive.
2. Reflectors: reflectors shall consist of any acrylic or high-strength polymer shell filled with a tightly adhering potting compound. The shell shall contain one or two prismatic reflective lenses to reflect incident light from opposite directions. The lenses shall be hermetically sealed and permanently bonded to the reflector base. The reflector shall be attached with an approved adhesive to the casting. The reflector shall conform to the following design requirements:

DIMENSION (NOMINAL)	4 BY 2 BY 0.48 INCH
SLOPE OF REFLECTING SURFACE	BETWEEN 30 AND 35 DEGREES
AREA OF EACH REFLECTING SURFACE	BETWEEN 1.44 AND 1.87 SQUARE INCHES
APPROXIMATE THICKNESS OF APPLIED ADHESIVE BEAD	0.375 INCH

Thin un-tempered glass shall be bonded to the front surface of the prismatic retro-reflective lens face to provide an extremely hard and durable abrasion resistant surface. The shell shall be molded of methyl methacrylate conforming to federal specification I-p-380c, Type I, class 3. The outer surface of the shell shall be smooth except that it may be marked with the manufacturer's identification.

The color of the reflective elements when illuminated by an automobile headlight shall be white or amber conforming to the following:

A. Optical performance and testing procedure. Horizontal entrance angle shall mean the angle in the horizontal plane between the direction of incident light and the normal to the leading edge of the reflector. Observation angle shall mean the angle at the reflector between the observer's line of sight and the direction of the light incident on the reflector. Specific intensity shall mean candelas of the returned light at the chosen observation and entrance angle for each lux of illuminance at the reflector on a plane perpendicular to the incident light.

A random number of reflectors shall be tested. The reflector shall be placed with the center of the reflecting face 5 feet from a uniformly bright light source having an effective diameter of 0.2 inch.

The photocell shall be an annular ring with an inside diameter of 0.37 inch and an outside diameter of 0.47 inch. The photocell shall be shielded to eliminate stray light. The distance from the light source center to the photocell center shall be 0.21 inch. If a test distance other than 5 feet is used, the source and receiver distances shall be modified in the same proportion as the test distance.

A 1-inch diameter flat pad shall be formed of No. 10 coarse steel wool conforming to federal specification a-a-1043a. The steel wool pad shall be placed on the reflector lens, and a load of 50 pounds shall be applied while rubbing the entire lens surface 100 times. After the lens surface has been abraded, the specific intensity of each crystal reflecting surface at 0.2-degree observation angle shall not be less than the following when the incident light is parallel to the base of the reflector:

HORIZONTAL ENTRANCE ANGLE	SPECIFIC INTENSITY (MCD/FOOT-CANDLES)
0 DEGREES	3.0 TO 4.0
20 DEGREES	1.2 TO 1.6

For amber reflectors, the specific intensity shall be 60 percent of the value for white. Failure of more than four percent of the reflecting faces will be cause for rejection of the lot.

**** Off-color reflection will be cause for rejection.**

B. Physical requirements: A random sample of three reflectors shall be selected for testing. Each reflector shall be placed, top side up, on a steel plate not less than 1/2 inch thick. The reflector shall be capable of supporting a load of 1,200 pounds when applied slowly to the top center of the reflector through a 1-inch diameter, 1-inch high metal plug centered on top of the reflector. Failure shall consist of one or more of the following:

- 1) Breakage or significant deformation of the reflector at a load of less than 1,200 pounds.

- 2) Significant delaminating between the thin protective coat and the surface of the acrylic shell at a load of less than 1,200 pounds.
- 3) Scratched hard-coat surface of the reflector.
- 4) Reflector without hard coat.

3. Reflector to casting adhesive. The reflector adhesive used in the bonding of the prismatic retroreflector to the casting shall be an approved functional equivalent recommended by the manufacturer and having the following generic formulation:

MATERIAL	PERCENT BY WEIGHT
ALIPHATIC PETROLEUM DISTILLATE (HEXANE)	36.0
KAOLIN CLAY	32.1
SYNTHETIC RUBBER	13.1
HYDROCARBON RESIN	7.8
ROSIN ESTER	7.1
CALCIUM CARBONATE	3.3
ANTIOXIDANT	0.6
TOTAL	100.0

4. **Reflector installation to casting:** The bottom of the reflector shall be clean and dry to permit attachment of the reflector to the primed surface of the casting. The adhesive shall be applied in a 3/8-inch bead, the length of the reflector. The reflector shall then be firmly pressed onto the casting by manual or mechanical means. The presence of any or all defects shall be cause for rejection of an individual reflector and casting or, if applicable, of a shipment.

5. **Epoxy compound - standard set.** Standard set epoxy shall be a two-component epoxy formulated for use in bonding snow plow-able pavement markers to Portland cement concrete and HMA and conforming to the following:

COMPONENT A	PARTS BY WEIGHT
EPOXY RESIN	100.0
TITANIUM DIOXIDE	7.68
NO. 13 TALC	36.4

COMPONENT B	PARTS BY WEIGHT
N-AMINOETHYL PIPERAZINE	25.10
NONYL PHENOL	50.03
TALC	69.28
MALACCO BLACK	0.23

The epoxy adhesive shall be mixed by an automatic proportioning and mixing machine; components A and B shall have a ratio of 1:1 by Volume. The mixing operation and placing of the reflectors and castings shall be done rapidly. A mixed batch of epoxy adhesive shall not be used if it becomes so viscous that it cannot be extruded readily from under the casting when light pressure is applied. The adhesive shall be maintained at 60 degree f to 80 degree F before mixing. If required, heating of the epoxy shall be by application of indirect heat. The adhesive shall not be heated above 120 degree F. Certification of compliance shall be furnished according to Section 3.2.1 NJ Specification 106.04.

Sampling and testing methods: Samples and a certified analysis of any ingredients to be used or any paint manufactured, shall be furnished by the manufacturer within ten days after request is made. The engineer may require the manufacturer of the paint to certify the use of the specific materials and components in the quantities specified herein, where such materials or components are not readily identifiable in the finished paint.

Sampling and testing will be performed according to the above requirement and the following:

3.5.3 PAINT

Driers	1 pint from each lot
Pigments	1 pint from each lot
Ready Mixed	Two 1 pint cans from each lot
Resin	1 pint from each lot
Stabilizers	1 pint from each lot
Thinner	1 quart from each lot
Varnish	1 pint from each lot
Vehicles	1 quart from each lot
Epoxy Components	Sufficient quantities from each components to make 1 gallon
Glass Beads	1 quart from each lot

Samples for testing are to be delivered to:

**NJ DEPARTMENT OF TRANSPORTATION
BUREAU OF MATERIALS
930 LOWER FERRY RD.
TRENTON, NJ 08618**

Tables referenced in the specifications are as follows:

**TABLE 916-1 TYPE I SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA
(SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT**

Color	Silver/ White	Yellow	Orange	Green	Red	Blue	Brown
Observation Angles, Degrees	0.2-0.5	0.2-0.5	0.2-.05	0.2-0.5	0.2-0.5	0.2-0.5	0.2-0.5
Entrance Angle							
-4 Degrees	70-30	50-25	25-13.5	9-4.5	14.5-7.5	4-2	0.6-0.25
15 Degrees	45-22	35-18	14-8	6-3.2	9.5-5	2.8-1.3	0.6-0.25
30 Degrees	30-15	22-13	5-4	3.5-2.2	6-3	1.7-0.8	0.3-0.2
45 Degrees	7.5-5	7.5-4	1-0.8	1-1	2-1	0.5-0.2	0.3-0.2

TABLE 916-2 TYPE II SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Yellow	Orange	Green	Red
Observation Angle, Degrees	0.2-0.5	0.2-0.5	0.2-.05	0.2-0.5	0.2-0.5
Entrance Angles					
-4 Degrees	250-95	170-62	100-30	45-15	45-15
30 Degrees	150-65	100-45	60-25	25-10	25-10
50 Degrees	35-22	23-15	14-9	6-1.5	6-4

TABLE 916-3 TYPE III-A SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Yellow	Orange	Green	Red	Blue
Observation Angle, Degrees	0.2-0.5	0.2-0.5	0.2-.05	0.2-0.5	0.2-0.5	0.2-0.5
Entrance Angles						
-4 Degrees	250-95	170-62	100-30	45-15	45-15	20-7.5
30 Degrees	150-55	100-45	60-22	25-10	25-10	10-5

TABLE 916-4 TYPE III-B SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Orange
Observation Angle, Degrees	0.1-0.2-0.5	0.1-0.2-0.5
Entrance Angle		
-4 Degrees	400-300-205	150-120-60
30 Degrees	160-160-68	75-65-26

TABLE 916-5 TYPE IV-A SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Yellow	Orange	Green	Red	Blue
Observation Angles, Degrees	0.2-0.5	0.2-0.5	0.2-.05	0.2-0.5	0.2-0.5	0.2-0.5
Entrance Angle						
-4 Degrees	800-200	470-110	450-120	120-28	120-28	55-13
30 Degrees	400-100	270-51	250-70	72-13	72-13	32-0
50/60 Degrees	35-30	16-16	16-16			

TABLE 916-6 TYPE IV-B SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Orange
Observation Angle, Degrees	0.2-0.5
Entrance Angle	
-4 degrees	200-80
30 degrees	120-50
50 degrees	50-20

TABLE 916-7 TYPE V SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Yellow	Orange	Green	Red	Blue
Observation Angles, Degrees	0.2-0.5	0.2-0.5	0.2-.05	0.2-0.5	0.2-0.5	0.2-0.5
Entrance Angle						
-4 Degrees	250-200	170-136	70-56	30-24	35-28	20-18
30 Degrees	95-60	64-40	26-17	11-7.2	13-8.4	7.6-4.8

TABLE 916-8 TYPE VI SHEETING RETRO-REFLECTANCE REQUIREMENTS MINIMUM SIA (SPECIFIC INTENSITY PER UNIT AREA), CD/F-C/FT

Color	Silver/White	Yellow	Green	Red	Blue
Observation Angles, Degrees	0.2-0.5	0.2-0.5	0.2-0.5	0.2-0.5	0.2-0.5
Entrance Angle					
-4 Degrees	430-250	350-200	45-25	100-65	20-10
30 Degrees	235-170	190-140	24-19	55-35	11-7

TABLE 916-9 ACCELERATED WEATHERING PHOTOMETRIC REQUIREMENTS

TYPE	Hours	Minimum Coefficient Of Retro-reflection (Ra)
I	1000	65% Of Table 916-1
II	1000(Note 1)	65% Of Table 916-2
III-A	1000(Note 1)	80% Of Table 916-3
III-B	1000(Note 1)	80% Of Table 916-4
IV-A	2200(Note 2)	80% Of Table 916-5
IV-B	1500	50% Of Table 916-6
V	250	50% Of Table 916-7
VI	1000	80% Of Table 916-8

3.6 BACKING CLASSES

The backing required for retro-reflective sheeting Types IX shall be classified as follows:

3.6.1 CLASS 1

The adhesive backing shall be pressure sensitive, require no heat, solvent, or other preparation for adhesion to smooth, clean surfaces.

TABLE 3 TYPE IX SHEETING A

Observation Angle	Entrance Angle	White	Yellow	Orange	Green	Red	Blue	Brown
0.1 DEGREE (B)	-40 DEG	1000	750	375	10	150	60	30
0.1 DEGREE (B)	+30 DEG.	460	345	175	46	69	28	14
0.2 DEGREE	-4 DEG	700	525	265	70	105	42	21
0.2 DEGREE	+30 DEG	325	245	120	33	49	20	10
0.5 DEGREE	-4 DEG	250	190	94	25	38	15	7.5
0.5 DEGREE	+30 DEG	115	86	43	12	17	7	3.5

TABLE 3 TYPE IX SHEETING -A

Observation Angle	Entrance Angle	White	Yellow	Orange	Green	Red	Blue
0.1 DEGREE B	-4 DEGREE	660	500	250	66	130	30
0.1 DEGREE B	+30 DEGREE	370	280	140	37	74	17
0.2 DEGREE	04 DEGREE	380	285	145	38	76	17
0.2 DEGREE	+30 DEGREE	215	162	82	22	43	10
0.5 DEGREE	-30 DEGREE	135	100	50	14	27	6.0
1.0 DEGREE	-4 DEGREE	80	60	30	8.0	16	3.6
1.0 DEGREE	+30 DEGREE	45	34	17	4.5	9.0	2.0

A - Minimum coefficient of retro-reflection (Ra) CD.IX -1.M-2B - values for 0.1 degree observation angles are supplementary requirements that shall apply only when specified by the contractor.

3.6.2 CLASS 2

The adhesive backing shall have an adhesive that shall be activated by applying heat and pressure to the material. The temperature necessary to form a durable permanent bond shall be a minimum of 150 degrees Fahrenheit (66 degrees Celsius)

The class 2 material shall be repositionable under normal shop conditions and at substrate temperatures up to 100 degrees Fahrenheit (38 degrees Celsius) and without damage to the material. The class 2 material may be perforated to facilitate removal of air in heat-vacuum laminators, but the perforations must be of a size and frequency such that they do not cause objectionable blemishes when the sheeting is printed.

3.6.3 CLASS 3

The adhesive backing shall have a positionable low-tack pressure-sensitive adhesive that requires no heat, solvent, or other preparation for adhesion to smooth, clean surfaces, it shall be prepositional up to a temperature of 100 degrees Fahrenheit (38 degrees Celsius) without damage to the material.

3.6.4 CLASS 4

The adhesive backing shall have a low-temperature pressure-sensitive adhesive that permits sheeting applications at temperatures down to +20 degrees Fahrenheit (-7 degrees Celsius) without the aid of heat, solvent, or other preparation for adhesion to smooth, dry, clean surfaces.

3.6.5 CLASS 5

This shall be a non-adhesive backing made of material commercially used for self-supporting products such as traffic cone collars, temporary roll-up warning signs, and post bands.

3.7 ORDERING INFORMATION

3.7.1 The Using Agencies using this contract shall include the following information when ordering:

- 3.7.1.1 ASTM Designation (D4956),
- 3.7.1.2 Classification type
- 3.7.1.3 Adhesive class
- 3.7.1.4 Daytime color
- 3.7.1.5 Length and width of sheets
- 3.7.1.6 Length and width of rolls

3.7.1.7 Supplementary information, if required by the purchaser

3.7.1.7.1 Compliance with the minimum coefficient of retro-reflection for 0.1 degree observation angle is a supplementary requirement which shall apply only when specified. An observation angle of 0.1 degree may be specified where the long distance performance of sheeting is to be a requirement.

3.7.1.7.2 Fungus-resistance testing requirements

3.7.1.7.3 Reboundable sheeting requirements

3.7.1.8 Indication that the sheeting is intended for work zone use, if applicable, to determine which weathering requirements apply.

3.8 GENERAL REQUIREMENTS

A. Retro-reflective sheeting type IX

3.8.1 THIS IS A SUMMARY OF THE MINIMUM PERFORMANCE REQUIREMENTS FOR TYPE VIII/TYPE IX RETRO-REFLECTIVE SHEETING.

3.8.2 TYPE VIII / TYPE IX - MINIMUM COEFFICIENT OF RETRO-REFLECTION

Table 3: Outdoor weathering - 36 months, daytime luminance factor - Table 9; other requirements: when the colors orange, yellow, or white are specified for construction work zone application, the outdoor weathering will be 12 months.

3.8.3 COEFFICIENT OF RETRO-REFLECTION

Determine the coefficients of retro-reflection in accordance with test Method E 810.

3.8.4 DAYTIME COLOR

The color of the sheeting shall conform to requirements of Table 13 and Table 9 when tested in accordance with daytime and nighttime color and shall have substantially the same hue.

3.8.5 ACCELERATED OUTDOOR WEATHERING REQUIREMENTS

The retro-reflective sheeting shall be weather resistant and show no appreciable cracking, scaling, pitting, blistering, edge lifting, or curling, or more than 1/32 in. (0.8 mm) shrinkage or expansion when tested in accordance with practice g7; conduct retroreflectivity measurements after outdoor weathering at 0.2 degrees observation and -4 degrees and +30 degrees entrance angles. The minimum coefficient of retro-reflection (RA) after weathering is specified in Table 14.

Note 2 - Supplementary requirements S3 describes a method for artificial accelerated weathering, which users of this specification may employ, for preliminary judgment, until outdoor weathering results are available.

3.8.6 COLORFASTNESS

After the specified outdoor weathering, the specimen shall conform to the requirements of Table 13 and one of the following: Table 5, Table 9, or Table 11.

3.8.7 SHRINKAGE

The retro-reflective sheeting shall not shrink in any dimension more than 1/32 in. (0.8 mm) in 10 minutes or more than 1/8 in. (3.2 mm) in 24 hours.

3.8.8 FLEXIBILITY

The sheeting shall be sufficiently flexible to show no cracking.

3.8.9 LINER REMOVAL

The liner, when provided, shall be easily removed without soaking in water or other solutions, and shall not break, tear, or remove adhesive from the sheeting.

3.8.10 ADHESION

The adhesive backing of the retro-reflective sheeting shall produce a bond that will support a 1 3/4-lb (0.79-kg) weight for adhesive Classes 1, 2 and 3 or a 1-lb (0.45-kg) weight for adhesive class 4 for 5 minutes, without the bond peeling for a distance of more than 2 in. (51 mm).

3.8.11 IMPACT RESISTANCE

Retro-reflective sheeting shall show no cracking or de-lamination outside of the actual area of impact when subjected to the impact test.

3.8.12 SPECULAR GLOSS

The retro-reflective sheeting shall have a specular gloss of not less than 40.

TABLE 9 DAYTIME LUMINANCE FACTOR (Y %) A

COLOR	MINIMUM	MAXIMUM
WHITE	40	-
YELLOW	24	45
ORANGE	12	30
GREEN	3.0	12
RED	3.0	15
BLUE	1.0	10
BROWN	1.0	6.0

A - (TYPICAL NON- METALIZED MICROPRISMATIC MATERIAL) FOR SHEETING TYPES IV, VII, VIII AND IX.

TABLE 13 COLOR SPECIFICATION LIMITS (DAYTIME) A

	1		2		3		4	
	X	Y	X	Y	X	Y	X	Y
Color								
White	0.303	0.300	0.368	0.366	0.340	0.393	0.274	0.329
Yellow	0.498	0.412	0.557	0.442	0.479	0.520	0.438	0.472
Orange	0.558	0.352	0.636	0.364	0.570	0.429	0.506	0.404
Green B	0.026	0.399	0.166	0.364	0.286	0.446	0.207	0.771
Red	0.648	0.351	0.735	0.265	0.629	0.281	0.565	0.346
Blue B	0.140	0.035	0.244	0.210	0.190	0.255	0.065	0.216
Brown	0.430	0.340	0.610	0.390	0.550	0.450	0.430	0.390

A-The four pairs of chromaticity coordinates determine the acceptable colorimeters of the CIE1931 Standard Colorimetric System measured with CIE Standard I illuminant D65.

B-The saturation limit of green and blue may extend to the border of the CIE chromaticity locus for spectral colors.

TABLE 14 OUTDOOR WEATHERING PHOTOMETRIC REQUIREMENTS FOR ALL CLIMATES

Type	Months - A	Minimum Coefficient Of Retroreflection, R-A
I	24-B	50% Of Table 4
II	36-B	65% Of Table 6
III	36-B	80% Of Table 7
IV	36-B	80% Of Table 8
V	36-B	80% Of Table 10
VI	6	50% Of Table 12
VII	36-B	80% Of Table 1
VIII	36-B	80% Of Table 2
IX	36-B	80% Of Table 3

A - Testing at shorter intervals may be done to gather additional information.

B - When the colors orange, yellow or white are specified for construction work zone applications, the outdoor weathering time will be 12 months.

3.9 DELIVERIES:

Deliveries are required within 30 days from the receipt of order to the Department of Corrections and will be accepted from 8:00 am to 2:00 p.m., Monday through Friday excluding state holidays at:

Bureau of State Use Industries
South Woods State Prison
DEPTCOR Sign Shop
"I" Building Receiving Gate
217 South Burlington Road
Bridgeton, NJ 08302

Agency contact person: Joseph Szalecki
Telephone# (609) 633-8100 x 2448, Fax # (609) 633-2495

Deliveries are required within 30 days from the receipt of order to New Jersey Department of Transportation and will be accepted from 8:00 am to 2:30 pm. Monday through Friday excluding holidays at:

New Jersey Department of Transportation
Sign Shop, Building #21
999 Parkway Avenue
Trenton, New Jersey 08625

Agency contact person: Reid Bryant
Telephone #: (609) 530-2689, Fax # (609) 530-2690

3.10 SALES/SERVICE

If sales/service of any kind is required by the state agency, the following individual is to be contacted:	
Name:	
Title:	
Telephone:	Cell #:
Fax:	
If sales/service of any kind is required by the state on a 24 hour Basis (around the clock), the following individual is to be contacts:	
Name:	
Title:	
Telephone:	Cell #:
Fax:	

3.11 BUY AMERICAN PRODUCT

This RFP requires bidders(s) to meet the requirements of "Buy American", as specified below and to submit with their bid proposal a notarized "Statement of Origin" (Attachment A).

Foreign materials:

The contractor shall comply with the appropriate statutes and Regulations concerning the use of foreign materials as follows:

1. Wholly state-funded projects. The contractor shall comply with NJSA 52:32-1 and NJSA 52:33-1 et. Seq., which prohibit the use by the contractor or subcontractors of farm products or materials produced or manufactured outside of the United States on any public work. Exceptions to this prohibition are allowed upon a finding by the commissioner that its enforcement would be inconsistent with the public interest, or where the cost of on forcing the prohibition would be unreasonable, or where the material in question is not of a class or kind mined, produced, or manufactured in the United States in commercial quantities and of a sufficient quality. Findings by the Commissioner allowing an exception to this prohibition will be included by the department in the contract documents.

If the commissioner finds that in the performance of the contract there has been a failure to comply with the federal and state provisions contained in the contract documents relative to foreign materials, the commissioner is to make the findings public, including therein the name of the contractor, or to any partnership, association, or corporation with which such contractor is associated or affiliated, within a period of three years after such finding is made public.

Where the use of foreign materials is allowed in the performance of contract, such materials shall be furnished in accordance with the following requirements:

A. Materials manufactured, produced, or mined outside the United States shall be delivered to approved locations within the state unless otherwise permitted, where they shall remain until sampling and testing can be completed.

B. The contractor shall, at no cost to the state, arrange for any required testing which the department is not equipped to perform. All testing shall be performed within the state and is subject to witnessing by the engineer.

C. Each lot of foreign material shall be accompanied by a certificates of compliance prepared in accordance with subsection 106.04. In addition, certified mill test reports shall be attached to the certificates of compliance for those materials for which mill test reports are required and shall clearly identify the lot to which they apply.

D. Structural materials requiring mill tests reports will be accepted only from those foreign manufactures who have previously established to the satisfaction of the engineer the adequacy of their in-plant quality control to ensure delivery of uniform material in conformance with contract requirements.

E. Adequacy of quality control shall be established, at the option of the engineer, by either submission of detailed written proof of adequate control, or through an in-plant inspection by the engineer.

F. Structural materials will not be accepted which cannot be identified with mill test report and certificates of compliance.

2. Federal aid projects. The contractor shall comply with the federal statutes and regulations which establish the "Buy America" requirements applicable to AATHE project. These federal requirements, which are contained in 23 CFR 635.409 and 23 CFR 635.410, mandate among other things that all manufacturing processes for iron AMD steel materials and all iron and steel coatings must be performed in the United States.

3. Only reflective sheeting manufactured in the United States can be provided under the contract awarded as a result of this RFP. This restriction is in accord with N.J.S.A. 52:32-1.

4. Refer to Section 3.11 of this RFP for submission of "Statement of Origin (Attachment A)" with the bid proposal

4.0 BID PROPOSAL PREPARATION AND SUBMISSION

4.1 GENERAL

The bidder is advised to thoroughly read and follow all instructions contained in this RFP, including the instructions on the RFP's signatory page, in preparing and submitting its bid proposal.

Note: Bid proposals shall not contain URLs (Uniform Resource Locators, i.e., the global address of documents and other resources on the World Wide Web) or web addresses. Inasmuch as the web contains dynamically changing content, inclusion of a URL or web address in a bid response is indicative of potentially changing information. Inclusion of a URL or web address in a bid response implies that the bid's content changes as the referenced web pages change.

4.2 BID PROPOSAL DELIVERY AND IDENTIFICATION

In order to be considered, a bid proposal must arrive at the Purchase Bureau in accordance with the instructions on the RFP signatory page

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>. Bidders are cautioned to allow adequate delivery time to ensure timely delivery of bid proposals. **State regulation mandates that late bid proposals are ineligible for consideration. THE EXTERIOR OF ALL BID PROPOSAL PACKAGES ARE TO BE LABELED WITH THE BID IDENTIFICATION NUMBER AND THE FINAL BID OPENING DATE OR RISK NOT BEING RECEIVED IN TIME.**

4.3 NUMBER OF BID PROPOSAL COPIES

The bidder must submit **one (1) complete ORIGINAL bid proposal**, clearly marked as the "ORIGINAL" bid proposal. The bidder should submit **two (2) full, complete and exact copies** of the original. The copies requested are necessary in the evaluation of the bid proposal. A bidder failing to provide the requested number of copies will be charged the cost incurred by the State in producing the requested number of copies. It is suggested that the bidder make and retain a copy of its bid proposal.

A bidder failing to provide the requested number of copies will be charged the cost incurred by the State in producing the requested number of copies. It is suggested that the bidder make and retain a copy of its bid proposal.

4.4 BID PROPOSAL CONTENT

4.4.1 FORMS THAT MUST BE SUBMITTED WITH BID PROPOSAL

4.4.1.1 SIGNATORY PAGE

The bidder shall complete and submit the Signatory page provided on the Advertised Solicitation, Current Bid Opportunities webpage

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>. The Signatory page shall be signed by an authorized representative of the bidder. If the bidder is a limited partnership, the Signatory page must be signed by a general partner. If the bidder is a joint venture, the Signatory page must be signed by a principal of each party to the joint venture. Failure to comply will result in rejection of the bid proposal.

4.4.1.2 OWNERSHIP DISCLOSURE FORM

In the event the bidder is a corporation, partnership or sole proprietorship, the bidder must complete the attached Ownership Disclosure Form. A current completed Ownership Disclosure Form must be received prior to or accompany the bid proposal. Failure to do so will preclude the award of a contract.

The Ownership Disclosure Form is located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.1.3 DISCLOSURE OF INVESTIGATIONS/ACTIONS INVOLVING BIDDER

The bidder shall provide a detailed description of any investigation, litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five years including the nature and status of the investigation, and, for any litigation, the caption of the action, a brief description of the action, the date of inception, current status, and, if applicable, disposition. The bidder shall use the Disclosure of Investigations and Actions Involving Bidder form located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.2 PROOFS OF REGISTRATION THAT MUST BE SUBMITTED WITH THE BID PROPOSAL

4.4.2.1 BUSINESS REGISTRATION CERTIFICATE FROM THE DIVISION OF REVENUE

FAILURE TO SUBMIT A COPY OF THE BIDDER'S BUSINESS REGISTRATION CERTIFICATE (OR INTERIM REGISTRATION) FROM THE DIVISION OF REVENUE WITH THE BID PROPOSAL MAY BE CAUSE FOR REJECTION OF THE BID PROPOSAL.

The bidder may go to www.nj.gov/njbgs to register with the New Jersey Division of Revenue or to obtain a copy of an existing Business Registration Certificate.

Refer to Section 1.1. of the NJ Standard Terms and Conditions version 07/27/07 located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.3 FORMS THAT MUST BE SUBMITTED BEFORE CONTRACT AWARD AND SHOULD BE SUBMITTED WITH THE BID PROPOSAL.

4.4.3.1 MACBRIDE PRINCIPLES CERTIFICATION

The bidder is required to complete the attached MacBride Principles Certification evidencing compliance with the MacBride Principles. The requirement is a precondition to entering into a State contract. The MacBride Principles Certification Form is located on the Advertised Solicitation, Current Bid Opportunities webpage: <http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.3.2 AFFIRMATIVE ACTION

The bidder is required to submit a copy of Certificate of Employee Information or a copy of Federal Letter of Approval verifying that the bidder is operating under a federally approved or sanctioned Affirmative Action program. If the bidder has neither document of Affirmative Action evidence, then the bidder must complete the attached Affirmative Action Employee Information Report (AA-302). This requirement is a precondition to entering into a State contract. The

Affirmative Action Employee Information Report (AA-302) is located on the Advertised Solicitation, Current Bid Opportunities webpage:

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.4 SUBMITTALS

A Statement of Origin (Attachment A) for all types of sheeting is required with the bid proposal. Bidders Failure to submit a Statement of Origin (Attachment A) may result in rejection of its bid proposal.

4.4.4.1 BIDDER EXPERIENCE - DATA SHEETS

The bidder must provide all of the information requested in the Bidder's Data Packet located on the Advertised Solicitation, Current Bid Opportunities webpage:

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

4.4.4.2 SAMPLES/SAMPLE TESTING

Products offered must be in accordance with this RFP. Bid samples **for pricing lines 00001 to 00090** for evaluation and testing purposes must be made available at no charge and delivered to **Department of Transportations**, at the bidder's expense. Bidders must, within 10 working days following a request from the State, submit bid samples to the NJDOT Bureau of Materials. Bid samples will not be returned. The NJDOT Bureau of Materials will conduct laboratory tests to assure that the bid samples submitted **for pricing lines 00001 to 00090** conform to this RFP. The State reserves the right to perform any tests necessary to assure that the bid samples conform to this RFP **for pricing lines 00001 to 00090**. The testing results of the State are final.

4.4.5 FINANCIAL CAPABILITY OF THE BIDDER

Upon request, In order to provide the State with the ability to judge the bidder's financial capacity and capabilities to undertake and successfully complete the contract, the bidder should submit two years of certified financial statements that include a balance sheet, income statement and statement of cash flow, and all applicable notes for the most recent calendar year or the bidder's most recent fiscal year. If certified financial statements are not available, the bidder should provide either a reviewed or compiled statement from an independent accountant setting forth the same information required for the certified financial statements, together with a certification from the Chief Executive Officer and the Chief Financial Officer, that the financial statements and other information included in the statements fairly present in all material respects the financial condition, results of operations and cash flows of the bidder as of, and for, the periods presented in the statements. In addition, the bidder should submit a bank reference.

If the information is not supplied with the bid proposal, the State may still require the bidder to submit it. If the bidder fails to comply with the request within seven (7) business days, the State may deem the proposal non-responsive.

The bidder may designate specific financial information as not subject to disclosure when the bidder has a good faith legal/factual basis for such assertion. The bidder may submit specific financial documents in a separate, sealed package clearly marked "Confidential-Financial Information" along with its Bid Proposal.

The State reserves the right to make the determination whether to accept the bidder's assertion of confidentiality and will advise the bidder accordingly.

4.4.6 PRICING

The bidder must submit its pricing using the format set forth in the State supplied price sheet(s) attached to this RFP. Failure to submit all information required will result in the bid being considered non-responsive. Each bidder is required to hold its prices firm through issuance of contract.

4.4.7 COOPERATIVE PURCHASING

The bidder should complete the attached Cooperative Purchasing Form indicating willingness or unwillingness to extend State contract pricing and terms to Cooperative Purchasing partners

4.4.8 PRICING SHEET INSTRUCTIONS

The bidder(s) unit price per square foot of sheeting for all materials listed for Price Line # 00001 to # 00090 of this RFP and must include the cost of supplying slip-sheets and compatible inks to both the Department of Transportation and Department of Corrections locations as listed in Section 3.9 of this RFP.

Type I validations stickers: The bidders is to indicate a unit price per square foot to include all handling and freight charges, for delivery to the ordering agency site.

All prices must be firm and not subject to any increases during the term of the contract or any extension thereof.

5.0 SPECIAL CONTRACTUAL TERMS AND CONDITIONS

5.1 PRECEDENCE OF SPECIAL CONTRACTUAL TERMS AND CONDITIONS

The contract awarded as a result of this RFP shall consist of this RFP, addendum to this RFP, the contractor's bid proposal and the Division's Notice of Award.

Unless specifically stated within this RFP, the Special Contractual Terms and Conditions of the RFP take precedence over the NJ Standard Terms and Conditions version 07/27/07 located on the Advertised Solicitation, Current Bid Opportunities webpage:

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>.

In the event of a conflict between the provisions of this RFP, including the Special Contractual Terms and the NJ Standard Terms and Conditions version 07/27/07, and any Addendum to this RFP, the Addendum shall govern.

In the event of a conflict between the provisions of this RFP, including any Addendum to this RFP, and the bidder's bid proposal, the RFP and/or the Addendum shall govern.

5.2 CONTRACT TERM AND EXTENSION OPTION

The term of the contract shall be for a period of **two (2) years**. The anticipated "Contract Effective Date" is provided on the signatory page of this RFP: <http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>. If delays in the procurement process result in a change to the anticipated Contract Effective Date, the bidder agrees to accept a contract for the full term of the contract. The contract may be extended for all or part of **three (3)**, one-year periods, by the mutual written consent of the contractor and the Director. **Purchase orders may be placed against the contract up to and including the end of business on the last day of the contract, for delivery no more than 45 days after contract expiration.**

5.3 CONTRACT TRANSITION

In the event that a new contract has not been awarded prior to the contract expiration date, as may be extended herein, it shall be incumbent upon the contractor to continue the contract under the same terms and conditions until a new contract can be completely operational. At no time shall this transition period extend more than **ninety (90)** days beyond the expiration date of the contract.

5.4 CONTRACT AMENDMENT

Any changes or modifications to the terms of the contract shall be valid only when they have been reduced to writing and signed by the contractor and the Director.

5.5 CONTRACTOR'S WARRANTY

- a) The Contractor is responsible for the quality, technical accuracy, timely completion and delivery of all deliverables and other services to be furnished by the Contractor under the Contract. The Contractor agrees to perform in a good, skillful and timely manner all services set forth in the Contract.
- b) The Contractor shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in its services and deliverables furnished under the Contract. The approval of interim deliverables furnished under the Contract shall not in any way relieve the Contractor of fulfilling all of its obligations under the Contract. The

acceptance or payment for any of the services rendered under the Contract shall not be construed as a waiver by the State or Agency, of any rights under the agreement or of any cause of action arising out of the Contractor's performance of the Contract.

- c) The acceptance of, approval of or payment for any of the services performed by the Contractor under the Contract shall not constitute a release or waiver of any claim the State or Agency, has or may have for latent defects or errors or other breaches of warranty or negligence.

5.6 ITEMS ORDERED AND DELIVERED

The **Using Agencies** are authorized to order and **the contractors** are authorized to ship only those items covered by the contracts resulting from this RFP. If a review of orders placed by the Using Agencies reveal that material other than that covered by the contract has been ordered and delivered, such delivery shall be a violation of the terms of the contract and may be considered by the Director as a basis to terminate the contract and/or as a basis not to award the contractor a subsequent contract. The Director may take such steps as are necessary to have the items returned by the Agency, regardless of the time between the date of delivery and discovery of the violation. In such event, the contractor shall reimburse the State the full purchase price.

The contract involves items which are necessary for the continuation of ongoing critical State services. Any delay in delivery of these items would disrupt State services and would force the State to immediately seek alternative sources of supply on an emergency basis. Timely delivery is critical to meeting the State's ongoing needs.

5.7 REMEDIES FOR FAILURE TO COMPLY WITH MATERIAL CONTRACT REQUIREMENTS

In the event that the contractor fails to comply with any material contract requirements, the Director may take steps to terminate the contract in accordance with the State administrative code and/or authorize the delivery of contract items by any available means, with the difference between the price paid and the defaulting contractor's price either being deducted from any monies due the defaulting contractor or being an obligation owed the State by the defaulting contractor.

5.8 MANUFACTURING/PACKAGING REQUIREMENTS

5.8.1 All products must conform in every respect to the standards and regulations established by Federal and New Jersey State laws.

5.8.2 All products shall be manufactured and packaged under modern sanitary conditions in accordance with federal and state law and standard industry practice.

5.8.3 All products are to be packaged in sizes as specified in this RFP and shall be packaged in such a manner as to ensure delivery in first class condition and properly marked for identification. All shipments must be comprised of original cartons associated with the commercial industry represented by the actual product contained within each carton. Deliveries containing re-used, re-labeled, re-worked or alternate cartons are subject to rejection by the Using Agency at the contractor's expense.

5.9 CLAIMS

All claims asserted against the State by the contractor shall be subject to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1.1, et seq., and/or the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et seq.

5.10 CONTRACT ACTIVITY REPORT

In conjunction with the standard record keeping requirements of this contract, as required by in paragraph 3.19 of the NJ Standard Terms and Conditions version 07/27/07, located on the Advertised Solicitation, Current Bid Opportunities webpage

<http://www.state.nj.us/treasury/purchase/bid/summary/09x20673.shtml>, contractor(s) must provide, on a calendar quarter basis, to the Purchase Bureau buyer assigned, a record of all purchases made under their contract award resulting for this Request for Proposal. This includes purchases made by all using agencies including the State and political sub-divisions thereof. This reporting requirement includes sales to State using agencies and, if permitted under the terms of the contract, sales to counties, municipalities, school districts, volunteer fire departments, first aid squads and rescue squads, and independent institutions of higher education. The requirement also includes sales to State and County Colleges and Quasi-State Agencies. Quasi-State Agencies include any agency, commission, board, authority or other such governmental entity which is established and is allocated to a State department or any bi-state governmental entity of which the State of New Jersey is a member.

This information must be provided in a tabular format such that an analysis can be made to determine the following:

- Contractor's total sales volume to each purchaser under the contract, subtotaled by product, including, if applicable, catalog number and description, price list with appropriate page reference and/or contract discount applied.
- Total dollars paid to subcontractors.

Submission of purchase orders, confirmations, and/or invoices do not fulfill this contract requirement for information.

Contractors are strongly encouraged to submit the required information in electronic spreadsheet format. The Purchase Bureau uses Microsoft Excel.

Failure to report this mandated information will be a factor in future award decisions.

5.11 PUBLIC WORKS CONTRACT-ADDITIONAL AFFIRMATIVE ACTION REQUIREMENT

N.J.S.A. 10:5-33 requires that:

"During the performance of this contract, the contractor agrees as follows:

a) The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause;

b) The contractor or subcontractor, where applicable will, in all solicitations or advertisements for

employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;

c) The contractor or subcontractor where applicable, will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment."

6.0 PROPOSAL EVALUATION

6.1 EVALUATION CRITERIA

The following criteria will be used to evaluate all bid proposals that meet the requirements of this RFP. The criteria are not necessarily listed in order of importance:

6.1.1 Price

6.1.2 Experience of the bidder

6.1.3 The bidder's past performance under similar contracts, including if applicable, the Division's vendor performance database.

6.1.4 Delivery time

6.2 ORAL PRESENTATION AND/OR CLARIFICATION OF BID PROPOSAL

After the submission of bid proposals, unless requested by the State as noted below, vendor contact with the State is still not permitted.

The bidder may be required to give an oral presentation to the State concerning its bid proposal. The State may also require the bidder to submit written responses to questions regarding its bid proposal.

The purpose of such communication with the bidder, either through an oral presentation or a letter of clarification, is to provide an opportunity for the bidder to clarify or elaborate on its bid proposal. Original bid proposals submitted, however, cannot be supplemented, changed, or corrected in any way. No comments regarding other bid proposals are permitted. Bidders may not attend presentations made by their competitors.

It is within the State's discretion whether to require the bidder to give an oral presentation or require the bidder to submit written responses to questions regarding its bid proposal. Action by the State in this regard should not be construed to imply acceptance or rejection of a bid proposal. The Purchase Bureau buyer will be the sole point of contact regarding any request for an oral presentation or clarification.

6.3 BID DISCREPANCIES

In evaluating bids:

- Discrepancies between words and figures will be resolved in favor of words.
- Discrepancies between unit prices and totals of unit prices will be resolved in favor of unit prices.
- Discrepancies in the multiplication of units of work and unit prices will be resolved in favor of the unit prices.
- Discrepancies between the indicated total of multiplied unit prices and units of work and the actual total will be resolved in favor of the actual total.
- Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the corrected sum of the column of figures.

6.4 NEGOTIATION AND BEST AND FINAL OFFER (BAFO)

Following the opening of bid proposals, the State shall, pursuant to N.J.S.A. 52:34-12(f), negotiate one or more of the following contractual issues: the technical services offered, the

terms and conditions and/or the price of a proposed contract award with any bidder, and/or solicit a Best and Final Offer (BAFO) from one or more bidders.

Initially, the Evaluation Committee will conduct a review of all the bids and select bidders to contact to negotiate and/or conduct a BAFO based on its evaluation and determination of the bid proposals that best satisfy the evaluation criteria and RFP requirements, and that are most advantageous to the State, price and other factors considered. The Committee may not contact all bidders to negotiate and/or to submit a BAFO.

In response to the State's request to negotiate, bidders must continue to satisfy all mandatory RFP requirements but may improve upon their original technical proposal in any revised technical proposal. However, any revised technical proposal that does not continue to satisfy all mandatory requirements will be rejected as non-responsive and the original technical proposal will be used for any further evaluation purposes in accordance with the following procedure.

In response to the State's request for a BAFO, bidders may submit a revised price proposal that is equal to or lower in price than their original submission, but must continue to satisfy all mandatory requirements. Any revised price proposal that is higher in price than the original will be rejected as non-responsive and the original bid will be used for any further evaluation purposes.

After receipt of the results of the negotiation and/or the BAFO(s), the Evaluation Committee will complete its evaluation and recommend to the Director for award that responsible bidder(s) whose bid proposal, conforming to this RFP, is most advantageous to the State, price and other factors considered.

All contacts, records of initial evaluations, any correspondence with bidders related to any request for negotiation or BAFO, any revised technical and/or price proposals, the Evaluation Committee Report and the Award Recommendation, will remain confidential until a Notice of Intent to Award a contract is issued.

7.0 CONTRACT AWARD

7.1 DOCUMENTS REQUIRED BEFORE CONTRACT AWARD

7.1.1 REQUIREMENTS OF N.J.S.A. 19:44A-20.13-25 (FORMERLY EXECUTIVE ORDER 134)

In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the negotiation and award of State contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, the Legislature enacted N.J.S.A. 19:44A-20.13 – 25 on March 22, 2005 the “Legislation”), retroactive to October 15, 2004, superseding the terms of Executive Order 134. Pursuant to the requirements of the Legislation, the terms and conditions set forth in this section are material terms of any contract resulting from this RFP:

7.1.1.1 DEFINITIONS

For the purpose of this section, the following shall be defined as follows:

a) Contribution – means a contribution reportable as a recipient under “The New Jersey Campaign Contributions and Expenditures Reporting Act.” P.L. 1973, c. 83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq. Through December 31, 2004, contributions in excess of \$400 during a reporting period were deemed “reportable” under these laws. As of January 1, 2005, that threshold was reduced to contributions in excess of \$300.

b) Business Entity – means any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition of a business entity includes (i)all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii)any subsidiaries directly or indirectly controlled by the business entity; (iii)any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv)if a business entity is a natural person, that person’s spouse or child, residing in the same household.

7.1.1.2 BREACH OF TERMS OF THE LEGISLATION

It shall be a breach of the terms of the contract for the Business Entity to (i)make or solicit a contribution in violation of the Legislation, (ii)knowingly conceal or misrepresent a contribution given or received; (iii)make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv)make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee; (v)engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of the Legislation; (vi)fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii)engage in any exchange of contributions to circumvent the intent of the Legislation; or (viii)directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of the Legislation.

7.1.1.3 CERTIFICATION AND DISCLOSURE REQUIREMENTS

a) The State shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, or to acquire, sell or lease any land or building, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for or holder of the public office of Governor, or to any State or county political party committee during certain specified time periods

b) Prior to awarding any contract or agreement to any Business Entity, the Business Entity proposed as the intended awardee of the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by the Legislation have been made by the Business Entity and reporting all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C.527 of the Internal Revenue Code that also meets the definition of a “continuing political committee” within the mean of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7. The required form and instructions, available for review on the Purchase Bureau website at

<http://www.state.nj.us/treasury/purchase/forms.htm#eo134>, shall be provided to the intended awardee for completion and submission to the Purchase Bureau with the Notice of Intent to Award. Upon receipt of a Notice of Intent to Award a Contract, the intended awardee shall submit to the Division, in care of the Purchase Bureau Buyer, the Certification and Disclosure(s) within five (5) business days of the State’s request. Failure to submit the required forms will preclude award of a contract under this RFP, as well as future contract opportunities.

c) Further, the Contractor is required, on a continuing basis, to report any contributions it makes during the term of the contract, and any extension(s) thereof, at the time any such contribution is made. The required form and instructions, available for review on the Purchase Bureau website at <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>, shall be provided to the intended awardee with the Notice of Intent to Award.

7.1.1.4 STATE TREASURER REVIEW

The State Treasurer or his designee shall review the Disclosures submitted pursuant to this section, as well as any other pertinent information concerning the contributions or reports thereof by the intended awardee, prior to award, or during the term of the contract, by the contractor. If the State Treasurer determines that any contribution or action by the contractor constitutes a breach of contract that poses a conflict of interest in the awarding of the contract under this solicitation, the State Treasurer shall disqualify the Business Entity from award of such contract.

7.1.1.5 ADDITIONAL DISCLOSURE REQUIREMENT OF P.L. 2005, C. 271

Contractor is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to P.L. 2005, c. 271, section 3 if the contractor receives contracts in excess of \$50,000 from a public entity in a calendar year. It is the contractor’s responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

7.2 FINAL CONTRACT AWARD

Bidders may choose to bid on any one or more groups of products as listed below:

Group 1 - Price Lines 00001 to 00008
Group 2 - Price Lines 00009 to 00010
Group 3 - Price Lines 00011 to 00016
Group 4 - Price Lines 00017 to 00018
Group 5 - Price Lines 00019 to 00022
Group 6 - Price Lines 00023 to 00034
Group 7 - Price Lines 00035 to 00040
Group 8 - Price Lines 00041 to 00042
Group 9 - Price Lines 00043 to 00045
Group 10 - Price Lines 00046 to 00049
Group 11 - Price Lines 00050 to 00052
Group 12 - Price Lines 00053 to 00055
Group 13 - Price Lines 00056 to 00058
Group 14 - Price Lines 00059 to 00077
Group 15 - Price Lines 00078 to 00084
Group 16 - Price Lines 00085 to 00087
Group 17 - Price Lines 00088 to 00089
Group 18 - Price Line 00090 only

7.2.1 To be eligible for award of any group, the bidder must submit pricing for **all item (s)** listed in each group. Failure to do so will result in the rejection of your bid proposal for that group(s) only.

7.2.2 One award for each group will be made to the bidder submitting the lowest total overall price for all items listed in that group with reasonable promptness by written notice to that responsible bidder(s), whose bid proposal(s), conforming to this RFP, are most advantageous to the State, price, and other factors considered. Any or all bid proposals may be rejected when the State Treasurer or the Director determines that it is in the public interest so to do.

7.3 INSURANCE CERTIFICATES

The contractor shall provide the State with current certificates of insurance for all coverages required by the terms of this contract, naming the State as an Additional Insured.

8.0 CONTRACT ADMINISTRATION

8.1 CONTRACT MANAGER

The State Contract Manager is the State employee responsible for the overall management and administration of the contract.

The State Contract Manager for this project will be identified at the time of execution of contract. At that time, the contractor will be provided with the State Contract Manager's name, department, division, agency, address, telephone number, fax phone number, and email address.

8.1.1 STATE CONTRACT MANAGER RESPONSIBILITIES

For an agency contract where only one State office uses the contract, the State Contract Manager will be responsible for engaging the contractor, assuring that Purchase Orders are issued to the contractor, directing the contractor to perform the work of the contract, approving the deliverables and approving payment vouchers. The State Contract Manager is the person that the contractor will contact **after the contract is executed** for answers to any questions and concerns about any aspect of the contract. The State Contract Manager is responsible for coordinating the use and resolving minor disputes between the contractor and any component part of the State Contract Manager's Department.

If the contract has multiple users, then the State Contract Manager shall be the central coordinator of the use of the contract for all Using Agencies, while other State employees engage and pay the contractor. All persons and agencies that use the contract must notify and coordinate the use of the contract with the State Contract Manager.

8.1.2 COORDINATION WITH THE STATE CONTRACT MANAGER

Any contract user that is unable to resolve disputes with a contractor shall refer those disputes to the State Contract Manager for resolution. Any questions related to performance of the work of the contract by contract users shall be directed to the State Contract Manager. The contractor may contact the State Contract Manager if the contractor can not resolve a dispute with contract users.